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Charles B. Deull Senior Vice President General Counsel

> SCHOLASTIC INC. 555 Broadway New York, NY 10012-3999

(212) 343-6633 Fax (212) 343-6965

March 24,2003

## Via Electronic Delivery With Attachment

Marlene H. Dortch Secretary Federal Communications Commission Office of the Secretary 445-12<sup>th</sup> Street, SW Washington, DC 20554

**Re:** Ex Parte Notice- Rules and Regulations Implementing the Telephone

Consumer Protection Act of 1991, CG Docket No. 02-278, CC Docket No.

92-90

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's Rules, 47 CFR 1.1206, Scholastic Inc. ("Scholastic") submits this cover memorandum and letter to report on the meeting that took place on March 21,2003.

**An** original and one copy of this **Ex** Parte Notice are hereby being filed with the Commission. If you have questions concerning this notice, please do not hesitate to contact the undersigned.

Respectfully submitted,

W DADOUT

cc w/ attachments:

Chief, K. Dane Snowden Legal Advisor to Bureau Chief, Gene Fullano Acting Division Chief, Richard D. Smith Deputy Bureau Chief, Margaret Egler No. of Copies rec'd 0+)
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Charles B. Deull Senior Vice President General Counsel

MAR 25 2003

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March 24,2003

## Via Electronic Delivery

Marlene H. Dortch Secretary Federal Communications Commission Office of the Secretary 445-12" Street, SW Washington, DC 20554

Re: Ex Parte Notice- Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, CG Docket No. 02-278, CC Docket No. 92-90

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's Rules, 47 CFR 1.1206, Scholastic Inc. ("Scholastic") submits this letter to report on the meeting that took place on March 21, 2003.

Specifically, Charles Deull, SVP General Counsel and Corporate Secretary of Scholastic, Ken Mahony, SVP- Marketing, Scholastic at Home, of Scholastic, Karen Proctor, VP Community Affairs and Government Relations, of Scholastic and Bibb Hubbard, Director, Government and Legislative Affairs, of Scholastic, met with K. Dane Snowden, Chief of Consumer and Government Affairs Bureau of the FCC, Richard D. Smith, Acting Division Chief, Policy Division, Margaret Egler, Deputy Bureau Chief, Policy Division and Gene Fullano, Legal Advisor to Bureau Chief.

During this meeting, Scholastic described its rational for an educational materials exemption to the proposed Do Not Call ("DNC") legislation. Specifically, Scholastic believes that an unintended consequence of the DNC legislation will be to deprive families of access to low cost educational materials. We believe that people who sign up on the DNC list do not know that they will lose access to such educational materials. Consequently, an educational materials exemption is necessary to avoid this unintended



detrimental consequence to consumers. Such exemption has already been recognized and implemented in other legislation and rule making. We further believe that an educational materials exemption is consistent with the exemption for charitable fundraising and governmental policies promoting literacy.

**An** original and one copy of this Ex Parte Notice are hereby being filed with the Commission. If you have questions concerning this notice, please do not hesitate to contact the undersigned.

Respectfully submitted,

Charles B. Deull

Or du

cc:

Chief, K. Dane Snowden Legal Advisor to Bureau Chief, Gene Fullano Acting Division Chief, Richard D. Smith Deputy Bureau Chief, Margaret Egler